

|  |  |  |                        |
|--|--|--|------------------------|
| <b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>   |  | Docket Number (Optional)<br>701586-052522-US                   |                        |
|  |  | In re Application of: David Waxman et al.                      |                        |
|  |  | Application Number: 10/509,533                                 | Filed: 05/26/2005      |
|  |  | For: Method of Using Anti-Apoptotic Factors in Gene Expression |                        |
|  |  | Group Art Unit: 1633   | Examiner: Quang Nguyen |
| <p>Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 1.17(b)) <span style="float: right;">\$ <u>540.00</u></span></p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <span style="float: right;">\$ <u>270.00</u></span></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0850.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 45%;"> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record Registration No. <u>60,335</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a).<br/>Registration number if acting under 37 CFR 1.34(a) _____</p> </div> <div style="width: 50%; text-align: right;"> <p><u>/Leena H. Karttunen/</u><br/>Signature</p> <p><u>Leena H. Karttunen</u><br/>Typed or printed name</p> <p><u>October 20, 2008</u><br/>Date</p> </div> </div> <p style="font-size: small;">NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> |  |  |                        |
| <input type="checkbox"/> *Total of _____ forms are submitted.  |  |  |                        |